

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-2226**

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In Re: KELVIN ANDRE SPOTTS, a/k/a Shorty,  
  
Petitioner.

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On Petition for Writ of Mandamus.  
(3:98-cr-00047-1)

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Submitted: January 27, 2014

Decided: January 31, 2014

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Before GREGORY, DAVIS, and DIAZ, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Kelvin Andre Spotts, Petitioner Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kelvin Andre Spotts petitions for a writ of mandamus, seeking an order from this court directing the district court to act on his motions for reconsideration of the district court's order denying his motion to reopen his initial 28 U.S.C. § 2255 (2012) proceedings in light of United States v. Fisher, 711 F.3d 460 (4th Cir. 2013). Our review of the district court's docket reveals that the district court has denied the motions for reconsideration. Accordingly, because the district court has recently acted on Spotts' motions, we deny the mandamus petition as moot. We grant leave to proceed in forma pauperis. Spotts' motion to remove stay of mandate and amendment to petition for rehearing and/or rehearing en banc is denied. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED